

# AFFIDAVIT OF SERVICE

United States District Court

For The Southern District Of New York

Case Number: 7888 CIV 2008

Plaintiff:

Annette Smith

vs.

Defendant:

National Basketball Association, Inc. and Bernard Tolbert

For:

Akin & Smith, LLC  
305 Broadway, Suite 1101  
New York, NY 10007

Received by LEGAL SYSTEMS PROCESS SERVICE, INC. to be served on National Basketball Association, Inc., 645 Fifth Avenue, New York, NY 10022.

I, Jason Martinez, being duly sworn, depose and say that on the 25th day of September, 2008 at 2:30 pm, I:

served a **CORPORATION** by delivering a true copy of the **Summons and Complaint** with the date and hour of service endorsed thereon by me, to: **Michele Pujals as Vp & Assistant General Counsel for National Basketball Association, Inc.**, at the address of: **645 Fifth Avenue, New York, NY 10022**, and informed said person of the contents therein, in compliance with state statutes.

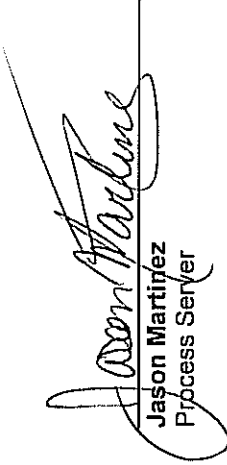
**Description of Person Served:** Age: 35, Sex: F, Race/Skin Color: White, Height: 5'2", Weight: 130, Hair: Brown, Glasses: N

I certify that I am over the age of 18, have no interest in the above action, and am a Licensed Process Server in good standing,

Subscribed and Sworn to before me on the 1st day of October, 2008 by the affiant who is personally known to me.

NOTARY PUBLIC

KEVIN JAY KOHN  
NOTARY PUBLIC STATE OF NEW YORK  
WESTCHESTER COUNTY  
LIC. #02KO6181645  
COMM. EXP. FEB. 4, 2012

  
Jason Martinez  
Process Server

LEGAL SYSTEMS PROCESS SERVICE, INC.  
1200 Morris Park Avenue  
Bronx, NY 10461  
(718) 409-1200

Our Job Serial Number: 2008000269